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PATENT

Docket No BOC9-2000-0082 (217)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Fitzpatrick, *et al.*

Serial No.: 09/921,856

Examiner: Abel Jalil, Neveen

Confirmation No.: 7129

Date Filed: August 2, 2001

Group: 2175

For: PROGRAMMATIC DISCOVERY OF COMMON CONTACTS

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
Washington, DC 20231

Sir

I, Gregory P. Fitzpatrick, a citizen of the United States of America, residing at 1427 Sweetgum Circle, Keller, Texas 76248-3208, hereby declare and state as follows

1. I was employed by International Business Machines Corporation (IBM) in Roanoke, Texas at the time the above-identified application was conceived. I make this declaration in support the above-identified application.

2 IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3 As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2000-0100 together with my co-inventor, David B Lebowitz.

4. I make this Declaration to establish that, (a) prior to December 22, 2000, the filing date of U.S. Published Patent Application 2002/0083136 to Whitten, II; and (b) prior to March 16, 2001, the filing date of U.S. Published Patent Application 2002/0035605 to McDowell, *et al.*, the other co-inventor and I conceived of the present

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, via facsimile number 703-746-7239 on

Date

Kevin T. Cuenot, Esquire

Reg No. 46,283

{WP131934.1}

Declaration Under 37 C.F.R. §1.31
U.S. Patent Appln No. 09/921,856

Docket No BOC9-2000-0082 (217)

invention and exercised due diligence from prior to November 10, 2000 to August 2, 2001, the filing date for the above-identified patent application.

5. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.


Gregory P. Fitzpatrick

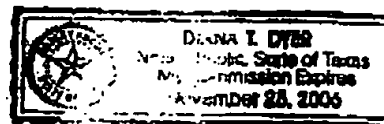
Date: 05/15/2003

STATE OF TEXAS)
COUNTY OF _____) ss.

The foregoing instrument was sworn to and subscribed before me this 15 day of MAY, 2003, by DIANA T. DYER who is personally known to me or who has produced _____ (type of identification) as identification.

NOTARY PUBLIC, STATE OF TEXAS

(Print, Type or Stamp Commissioned Name of Notary Public)



Disclosure BOC8-2000-0100

Prepared for and/or by an IBM Attorney - IBM Confidential

Created By: Greg Fitzpatrick Created On: 11/10/2000 01:05:01 PM
Last Modified By: Elaine Coleman Last Modified On: 11/29/2000 11:25:43 AM

Required fields are marked with the asterisk (*) and must be filled in to complete the form.

***Title of disclosure (in English)**

Connecting persons through common contacts

Summary

Status	Under Evaluation
Processing Location	BOC
Functional Area	Solution Technologies (McAuffee) Div 91
Attorney/Patent Professional	Richard Tomlin/Boca Raton/IBM
IDT Team	Jim Toohey/Fort Lauderdale/IBM
Submitted Date	11/27/2000 10:51:33 PM EST
Owning Division	GI
Incentive Program	
Lab	
Technology Code	
PVT Score	No PVT score has been calculated. To calculate a PVT score, press the 'Calculate' button

Inventors with Lotus Notes IDs

Inventors: Greg Fitzpatrick/Roanoke/IBM, David Lepowitz/Dallas/IBM

Inventor Name	Inventor Serial	Div/Dept	Inventor Phone	Manager Name
> Fitzpatrick, G.P. (Greg)	602815	91/FGBA	522-3910	Clipp, J.R. (Ron)
Lepowitz, David B	745379	91/FGBA	522-6769	Clipp, J.R. (Ron)

> denotes primary contact

Inventors without Lotus Notes IDs**IDT Selection**

Select Functional Area

IDT Team: Jim Toohey/Fort Lauderdale/IBM	Attorney/Patent Professional: Richard Tomlin/Boca Raton/IBM
---------------------------------------------	----------------------------------------------------------------

Response Due to IP&L : 12/29/2000

*Main Idea

NO EVIDENCE
OF
DILIGENCE
TOWARDS FILING

BOC8-2000-0100 Connecting persons through common contacts - continued

1. Describe your invention, stating the problem solved (if appropriate), and indicating the advantages of using the invention

In a business or social context, people need to meet in order to build a relationship which would promote collaboration. Since trust is not immediately established just because two persons are in the same room, the exchange of ideas may not occur. People are often reluctant to approach another person of interest without an introduction by a third person or at least some knowledge of a person known by both. In fact, even if a person's face is recognizable and familiar, his or her identity may not be fully clear which further hinders contact.

However, trust is fostered when any two people discover one or more common contacts (i.e., third person(s) known to each other and trusted by each party). Common contacts (whether physically present in the business/social setting or not) provide a sense of shared interests, business purpose, etc.

A problem occurs when any two people have common contacts but cannot discern them through standard mental recollection processes.

In this case, a solution to the problem is to find common contacts programmatically, thereby enhancing knowledge about the unknown person and engendering a sense of trust - thereby facilitating exchange of information and collaboration.

2. How does the invention solve the problem or achieve an advantage (a description of "the invention", including figures inline as appropriate)?

This invention describes the use of personal contact information which is made public freely by persons wishing to establish contact with others in order to discover common contacts. In particular, this invention makes use of contact lists in the form of personal address books, and/or 'buddy lists', or 'contact lists' used by email programs and/or instant messaging software on personal computers, PDAs, mobile phones, etc.

The invention operates as follows.

A user of the invention (the 'searcher') identifies another person of interest, (the 'target'). The target person presumably has made public a list of contacts. This target person may be identified by the user without revealing any truly personal information. The user can identify the target person using a unique identifier which exposes the target person's public contact list only. (NOTE: The manner in which the source person identifies the target person is important, but beyond the scope of this invention. An exchange of data via an infrared port on a PDA/mobile device or by collecting data 'narrowcasted' by the target person's device, etc., may be possible solutions.)

Having identified the contact list of the target person (via accessing a public portal server, for example), the invention compares the searcher's and target person's contacts, searching for contacts common to both lists. Results may be reported to the user via any standard output means: audio, video, text, etc. Significantly, if a match is not found upon an initial first-layer search, the invention may utilize the listed contacts of each person to find contacts of those contacts to find a match, i.e., search for the friend-of-a-friend-of-a-friend...) The results of the search are useful to the searcher, because the result provides information about common contacts that may facilitate personal collaboration.

3. If the same advantage or problem has been identified by others (inside/outside IBM), how have those others solved it and does your solution differ and why is it better?

Buddy lists, contact lists, personal address books, Rolodex files, etc. have existed in both paper and electronic forms for a long time. However, the programmatic comparison of such lists (and the lists associated with each entry in those lists) to reveal previously unknown common contacts is novel.

4. If the invention is implemented in a product or prototype, include technical details, purpose, disclosure details to others and the date of that implementation.

N/A

*Critical Questions (Questions 1-8 must be answered)

BOCB-2000-0100 Connecting persons through common contacts - continued

***Question 1**

On what date was the invention workable? 11/08/2000 Please format the date as MM/DD/YYYY
(Workable means i.e. when you know that your design will solve the problem)

***Question 2**

Is there any planned or actual publication or disclosure of your invention to anyone outside IBM?

☐ Yes☒ No

If yes, Enter the name of each publication or patent and the date published below

Publication/Patent:

Date Published or Issued:

Are you aware of any publications, products or patents that relate to this invention?

☐ Yes☒ No

If yes, Enter the name of each publication or patent and the date published below.

Publication/Patent:

Date Published or Issued:

***Question 3**

Has the subject matter of the invention or a product incorporating the invention been sold, used internally in manufacturing, announced for sale, or included in a proposal?

☐ Yes☒ No

Is a sale, use in manufacturing, product announcement, or proposal planned?

☐ Yes☒ No

If Yes, identify the product if known and indicate the date or planned date of sale, announcements, or proposal and to whom the sale, announcement or proposal has been or will be made.

Product:

Version/Release

Code Name:

Date:

To Whom:

If more than one, use cut and paste and append as necessary in the field provided.

***Question 4**

Was the subject matter of your invention or a product incorporating your invention used in public, e.g., outside IBM or in the presence of non-IBMers?

If yes, give a date. Please format the date as MM/DD/YYYY

☐ Yes☒ No***Question 5**

Have you ever discussed your invention with others not employed at IBM?

☐ Yes☒ No

If yes, identify individuals and date discussed. Fill in the text area with the following information, the names of the individuals, the employer, date discussed, under CDA, and CDA #.

***Question 6**

Was the invention, in any way, started or developed under a government contract or project?

☐ Yes☒ No☐ Not sure

If Yes, enter the contract number

***Question 7**

BOCB-2000-0100 Connecting persons through common contacts - continued

Was the invention made in the course of any alliance, joint development or other contract activities?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure
If Yes, enter the following Name of Alliance, Contractor or Joint Developer	
Contract ID number	
Relationship contact name	
Relationship contact E-mail	
Relationship contact phone	

*Question 8	<input type="radio"/> Yes <input checked="" type="radio"/> No
Have you submitted, or are you aware of, any related disclosure submission?	
If Yes, please provide the title and docket or disclosure number below:	

Question 9
What type of companies do you expect to compete with inventions of this type? Check all that apply.
<input type="checkbox"/> Manufacturers of enterprise servers
<input type="checkbox"/> Manufacturers of entry servers
<input type="checkbox"/> Manufacturers of workstations
<input type="checkbox"/> Manufacturers of PC's
<input type="checkbox"/> Non-computer manufacturers
<input checked="" type="checkbox"/> Developers of operating systems
<input type="checkbox"/> Developers of networking software
<input checked="" type="checkbox"/> Developers of application software
<input type="checkbox"/> Integrated solution providers
<input type="checkbox"/> Service providers
<input type="checkbox"/> Other (Please specify below)

Patent Value Tool (Optional - this may be used by the inventor and attorney to assist with the evaluation of the Patent Disclosure Text & Drawings)

(Form Revised 12/17/97)